

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of) MB Docket No. 14-82
)
PATRICK SULLIVAN) FRN 0003749041, 0006119796,
(Assignor)) 0006149843, 0017196064
)
and) Facility ID No. 146162
)
LAKE BROADCASTING, INC.) File No BALFT-20120523ABY
(Assignee))
)
Application for Consent to Assignment of)
License of FM Translator Station W238CF,)
Montgomery, Alabama)

To: Enforcement Bureau

**LAKE BROADCASTING, INC.'S RESPONSE
TO ENFORCEMENT BUREAU'S FIRST
SET OF INTERROGATORIES**

Pursuant to Section 1.323(b) of the Commission's Rules, Lake Broadcasting, Inc. ("Lake"), by its attorney, hereby responds to the Enforcement Bureau's First Set of Interrogatories.

Interrogatory No. 1. State whether Michael Rice is or has ever been a Registered Sex Offender in the State of Missouri. If so:

- a. Specify the date on which Michael Rice first registered as a sex offender.
- b. State whether Michael Rice was required to register as a sex offender.
- c. Specify the level or classification, if any, of Michael Rice's status as a Registered Sex Offender.
- d. Describe all requirements, duties, obligations, and restrictions to which Michael Rice is subject as a Registered Sex Offender.
- e. Specify for how long Michael Rice must remain a Registered Sex Offender.

ANSWER TO INTERROGATORY NO. 1.

- a. December 1999.
- b. Yes. However, on June 30, 2006, the Missouri Supreme Court ruled that registration was illegal for those convicted prior to 1994. As a result, Mr. Rice was not required to register anymore until June 16, 2009 when the Missouri Supreme Court ruled that registration was required pursuant to the Federal Sex Offender Registration and Notification Act ("SORNA").
- c. There was no level or classification.
- d. Report every 90 days to the chief law enforcement official in St. Charles County.
Register within 3 days each time Mr. Rice changes his name, residence, employer, or student status.
Abide by all registration requirements under Missouri statutes and the Federal Adam Walsh Act.
Cannot be present or loiter within 500 feet of or approach with anyone under 18 years of age, in any child care facility building, or real property when persons under 18 are present unless offender is a parent, legal, guardian, or custodian of a student present in the building.
Cannot be present or loiter within 500 feet of any real property comprising a public park with playground equipment or a public swimming pool.
- e. Mr. Rice's criminal attorney has advised him that he can be removed from the list after August 1, 2019.

Interrogatory No. 2. State whether Michael Rice is or was ever subject to any restrictions and/or deprivation of rights as a result of his felony convictions. As to each such restriction and/or deprivation of rights:

- a. Describe the restriction and/or right that was withdrawn.
- b. Specify its duration.
- c. If applicable, specify the date on which such restriction and/or deprivation was lifted.

ANSWER TO INTERROGATORY NO. 2

- a. Mr. Rice had no voting rights while on parole and was required to get a travel permit for trips to Illinois and Indiana during parole.
- b. Parole began when Mr. Rice was released from prison on December 29, 1999, and ended in August 2002.
- c. Parole ended in August 2002, and Mr. Rice's right to vote was restored.

Interrogatory No. 3. State whether Michael Rice is or was ever subject to parole and/or probation? If so:

- a. Describe fully the terms and conditions to which he was subject while he was on parole and/or probation.
- b. State whether Michael Rice ever violated any terms and/or conditions of his parole and/or probation. If so, as to each such violation:
 - i. Specify the date.
 - ii. Describe the nature of the violation.
 - iii. Describe the reason for the violation.
 - iv. Describe the consequences, if any, of the violation.

ANSWER TO INTERROGATORY NO. 3

- a. Mr. Rice was subject to parole. See Answer to Interrogatory No. 2. Parole ended 12 years ago. Apart from what is stated in Answer to Interrogatory 2(a), Mr. Rice does not recall any terms or conditions of his parole, and he is not in possession of any documents pertaining thereto.
- b. Mr. Rice never violated any term or condition of his parole.

Interrogatory No. 4. State whether Michael Rice is or was ever required to report to and/or meet with a parole and/or probation officer after his release from prison. If so:

- a. Identify all such officers.
- b. Specify how often Michael Rice was required to report to and/or meet with such officers.
- c. State whether Michael Rice ever failed to timely report to and/or meet as required. If so, as to each such failure:
 - i. Specify the date of the failure.
 - ii. Describe the reason for the failure.
 - iii. Describe the consequences, if any, of the failure.

ANSWER TO INTERROGATORY NO. 4.

- a. Mr. Rice does not recall the name(s) of his parole officer(s), and he has no records providing that information.
- b. Monthly.
- c. Mr. Rice never failed to timely report to and/or meet as required.

Interrogatory No. 5. State whether Michael Rice ever violated any prison rules, regulations, requirements, duties and/or obligations of any kind to which he was subject while incarcerated. If so, as to each such violation;

- a. Specify the date of the violation.
- b. Describe the violation.
- c. Describe the consequences, if any, of the violation.

ANSWER TO INTERROGATORY NO. 5.

During his 5¼ years of imprisonment, Mr. Rice had a small number of minor violations for leaving items on his room desk or arguing with the prison staff. Having left prison in December 1999, he does not recall the details of these minor violations, and he has no documents pertaining to them. The violations were investigated, but there were no serious consequences.

Interrogatory No. 6. State whether Michael Rice is or has been a member of and/or in any way associated with a civic or self-help organization. If so, as to each such organization:

- a. Identify the organization.
- b. Describe the purpose of the organization.
- c. Specify the dates of his membership and/or association in the organization.
- d. Describe the nature and extent of his role in the organization.
- e. Identify the president or leader of the local unit of the organization.
- f. If Michael Rice is no longer a member or associated with the organization, explain why.

ANSWER TO INTERROGATORY NO. 6.

- a. Rio Vista Homeowners Corporation, St. Charles, Missouri.
 - b. Allows homeowners to exchange views and unite to accomplish local projects, such as enforcing restrictive covenants on private streets and collecting membership dues for maintenance of streets and sewers.
 - c. As one of 42 homeowners in the subdivision, Mr. Rice has been a member of the association since December 1999. However, he has been an elected member of the Board of Directors of the association three times since 2003, including at the present time.
 - d. As a Board member, Mr. Rice attends all Board meetings, participates in discussions, and volunteers to assist in some projects.
 - e. The President is Charlotte Worthington.
 - f. Mr. Rice remains an active member of the Board.
-
- a. Pebble Creek Condo Unit Owners Association, O'Fallon, Missouri.
 - b. Allows condo owners to exchange views and unite to accomplish local projects.
 - c. Mr. Rice was President and a Board member of this association for four years ending in 2009. During that time he was also property manager of the 24-unit condo community.

- d. See c.
- e. The President is Jeff Sheldon.
- f. Mr. Rice resigned as a Board member and property manager.

Interrogatory No. 7. State whether Michael Rice is or has been a member of and/or associated with a religious institution or organization. If so as to each such institution or organization:

- a. Identify the institution and/or organization.
- b. Describe the purpose of the institution and/or organization.
- c. Specify the dates of his membership and/or association in the institution and/or organization.
- d. Describe the nature and extent of his role in the institution and/or organization.
- e. Identify the president, leader and/or clergyman of the institution and/or organization.
- f. If Michael Rice is no longer a member or associated with the institution and/or organization, explain why.

ANSWER TO INTERROGATORY NO. 7.

Mr. Rice is not currently associated with any religious institution or organization, and he has not been associated with any such organization in the past.

Interrogatory No. 8. State whether Michael Rice has visited any website featuring nude and/or partially nude children and/or any website relating in any manner and to any extent whatsoever to sexual activities involving children in particular. If so, as to each such visit:

- a. Specify the date of the visit.
- b. Identify the website.
- c. Explain the purpose of the visit.

ANSWER TO INTERROGATORY NO. 8.

Mr. Rice has not visited any such websites.

Interrogatory No. 9. State whether Michael Rice has contacted or been a member of any organization or company catering to individuals having an interest in sexual activities with children or child pornography or visited such organization's website. If so, as to each such contact or visit:

- a. Specify the date of the contact/visit.
- b. Identify the organization/website.
- c. Explain the purpose of the visit.

ANSWER TO INTERROGATORY NO. 9.

Mr. Rice has not contacted, or been a member of, any organization or company described in Interrogatory 9, nor has he visited any such organization's website.

Interrogatory No. 10. State whether Michael Rice has ever traveled outside the United States to any country for the purpose of engaging in sexual activities with children either as an individual or as a member or guest of an organization or company catering to individuals having an interest in sexual activities with children or child pornography. If so, as to each such trip:

- a. Specify the date of the trip.
- b. Identify the country.
- c. Identify the organization.

ANSWER TO INTERROGATORY NO. 10.

Mr. Rice has never traveled outside the United States to any country for the purpose specified in Interrogatory 10.

Interrogatory No. 11. State whether Michael Rice calls or has called a telephone chat line related in any manner and to any extent whatsoever with sexual activities involving children. If so, as to each such telephone call:

- a. Specify the date of the telephone call.
- b. Identify the chat line.
- c. Explain the purpose of the call.

ANSWER TO INTERROGATORY NO. 11.

Mr. Rice has not made any such calls.

Interrogatory No. 12. State whether Michael Rice has consulted with, and/or been examined and/or treated by, a psychiatrist, psychologist, therapist (other than a physical therapist), and/or counselor. If so, as to each such psychiatrist, psychologist, therapist, and/or counselor:

- a. Identify the professional.
- b. Specify the time period during which he received treatment.
- c. Describe the reason for the consultation, examination, and/or treatment.
- d. Describe the diagnosis.

ANSWER TO INTERROGATORY NO. 12.

- a. Dr. Wayne A. Stillings, M.D.
Dr. Ann Dell Duncan, Ph.D, J.D.
Dr. Wells Hively, Ph.D.
Mark Lee Robinson, therapist
Carol Klooster, therapist

- b. From 1990 through 2002
- c. Treatment of Bi Polar Depression, alcohol abuse, prevention of sex abuse with minors, and relapse prevention
- d. See c.

Interrogatory No.13. State whether Michael Rice takes or has taken any prescription medication for anything other than a physical condition. If so, as to each such medication:

- a. Identify the medication.
- b. Specify the dose and frequency.
- c. Specify the time period during which the medication was taken.
- d. Explain why the medication was taken.
- e. If the dose was changed at any time, explain why.
- f. If Michael Rice is no longer taking the medication, explain why.

ANSWER TO INTERROGATORY NO. 13.

- a. Mr. Rice has taken various medications during his 24 years of treatment. He does not have a complete list nor does he recall the specific time periods. His current medications, dose, and frequency for all of his medical conditions are as follows:

Janumet

50-1000 Tab 2X daily Tablets

1-AM 1-PM

Quinapril

20MG Tablets

2X daily

Lantus

45 units injection

1X before breakfast

Carvedilol

25 MG Tablets ½ tab once a day

Clopidogrel (generic for Plavix)

75MG Tablets

1X daily

Amlodipine

5MG 1X daily

Hydrochlorothiazide

25MG 1X daily

Atorvastatin (generic for LIPITOR)

10MG 1X daily

Wellbutrin

300MG

1X daily

Aspirin

325MG

1X daily

- b. See a. above.
- c. See a. above.
- d. See Answer to Interrogatory 12(c).
- e. Over the years, Mr. Rice has changed his medications and doses under the direction of his treating physicians.
- f. Mr. Rice is still taking medications for depression (Wellbutrin). His physicians have decided that the other medications for his mental conditions are no longer needed by him.

Interrogatory No. 14. State whether Michael Rice is or has been employed and/or self-employed since his release from prison. If so, as to each such position that Michael Rice has held:

- a. Identify the employer.
- b. Specify the dates of employment.
- c. Identify Michael Rice's immediate supervisor.
- d. Specify the title of the position.
- e. Describe Michael Rice's duties.

ANSWER TO INTERROGATORY NO. 14

Since he was released from prison in December 1999, Mr. Rice has been self-employed as an investor in residential rental properties, bonds, and securities; a property manager for residential properties and for the towers that he owns; and an engineering consultant for AM and FM radio stations.

Interrogatory No. 15. State whether Michael Rice provides or has provided services to any FCC licensee or broadcast station since his release from prison. If so, as to each such service that Michael Rice has held:

- a. Identify the licensee and/or broadcast station.
- b. Specify the dates during which the service was provided.
- c. Identify Michael Rice's contact at the licensee and/or station.
- d. Describe the nature and extent of the service.
- e. Specify the nature and extent of the compensation that Michael Rice received, if any, for the service.

ANSWER TO INTERROGATORY NO. 15

OBJECTION. Lake objects to all parts of this Interrogatory, except (b), (d), and (e), on the grounds that those details are unnecessary to test Mr. Rice's rehabilitation and could lead to harassment of his clients.

- b. Mr. Rice has provided intermittent engineering consulting services to a number of AM and FM broadcast stations in the Midwest (most especially Missouri, Illinois, and Indiana) from the time he was released from prison in December 1999 until the present. He is recognized as a Certified Professional Broadcast Engineer, which helps him to obtain consulting assignments.
- d. Mr. Rice adjusts antennas and transmitters, troubleshoots technical operational issues, and assists in constructing new or modified radio facilities.

c. Mr. Rice is paid standard market rates for his engineering services.

Interrogatory No.16. State whether Michael Rice has timely filed all local, state and Federal income tax returns that he was required to file. If not explain fully.

ANSWER TO INTERROGATORY NO. 16

Yes.

Interrogatory No. 17. State whether Michael Rice has timely paid all local, state and Federal income taxes that he was required to pay. If not explain fully.

ANSWER TO INTERROGATORY NO. 17

Yes.

Interrogatory No. 18. State whether Lake Broadcasting has timely filed all local, state and Federal income tax returns that it was required to file. If not explain fully.

ANSWER TO INTERROGATORY NO. 18

Yes.

Interrogatory No. 19. State whether Lake Broadcasting has timely paid all local, state and Federal income taxes that it was required to pay. If not explain fully.

ANSWER TO INTERROGATORY NO. 19

Yes.

Interrogatory No. 20. State whether Michael Rice has or has had any hobbies. If so, describe fully.

ANSWER TO INTERROGATORY NO. 20

Mr. Rice's hobbies include reading, gardening, antique radios, antique clocks, pet training and grooming, radio communications, and history.

Interrogatory No. 21. State whether Michael Rice is or has been involved in any manner and to any extent whatsoever in any youth organizations including but not limited to, sports teams or activities, boy scouts, girl scouts, and the 4H. If so, describe fully.

ANSWER TO INTERROGATORY NO. 21

No past or present involvement in any such organizations.

Interrogatory No. 22. State whether Michael Rice subscribes or has subscribed to any magazines and/or other periodic publications (whether electronic or printed), that feature nude and/or partially nude children and/or related in any manner and to sexual activities involving children. If so, as to each such magazine and/or periodic publication:

- a. Identify the magazine and/or periodic publication.
- b. Specify the dates the subscription.
- c. Explain the reason for the subscription.

ANSWER TO INTERROGATORY NO. 22

No past or present subscriptions to any such magazines and/or other periodic publications.

Interrogatory No. 23. State whether Michael Rice is or has ever been married. If so, identify each spouse and the dates of his marriage(s). If Michael Rice is not now and/or has not been married, state whether he has had a personal relationship with someone whom he would consider to be or have been a partner and/or significant other, as those terms are generally used. If so, identify each partner and/or significant other and the dates of his personal relationship(s) with them.

ANSWER TO INTERROGATORY NO. 23

Mr. Rice is not married and has never been married. OBJECTION: Lake objects to the remaining part of the Interrogatory since it is highly personal, an invasion of his personal privacy, and not germane to any of the issues specified in this proceeding.

Interrogatory No. 24. Specify all addresses where Michael Rice has resided since his release from prison.

ANSWER TO INTERROGATORY NO. 24

216 Rio Vista Drive, St. Charles, MO 63303.

Interrogatory No. 25. State whether Lake Broadcasting intends to call any witnesses to testify at the hearing in this proceeding. If so, identify each such witness.

ANSWER TO INTERROGATORY NO. 25

Lake intends to call one or more witnesses to testify at the hearing, including Mr. Michael Rice, but it has not yet identified such additional witness(es). It will supplement this answer when a determination has been made.

Interrogatory No. 26. State whether Lake Broadcasting intends to place in evidence any statements of Michael Rice's good character. If so, identify the author of each such statement.

ANSWER TO INTERROGATORY NO. 26

Lake intends to place in evidence several statements of Mr. Rice's good character. It will supplement this answer with a list of authors when they are known.

Interrogatory No. 27. State whether Michael Rice has been arrested for any alleged or suspected crime other than in November 1990, when he was arrested in the State of Missouri on charges relating to sexual misconduct with several children. If so, explain fully.

ANSWER TO INTERROGATORY NO. 27

No arrests since 1990.

Interrogatory No. 28. State whether Michael Rice has ever been convicted of any crime other than on July 5, 1994, when he was convicted in the State of Missouri of four counts of sodomy, six counts of deviate sexual assault in the first degree, and two counts of deviate sexual assault in the second degree; all of which were felonies involving children. If so, explain fully.

ANSWER TO INTERROGATORY NO. 28

No.

Interrogatory No. 29. State whether Michael Rice has ever been a suspect or a person of interest in any crime other than the crimes for which he was convicted on July 5, 1994. If so, explain fully.

ANSWER TO INTERROGATORY NO. 29

No.

Interrogatory No. 30. State whether Michael Rice consumes or has consumed an alcoholic beverage. If so:

- a. Specify when he last consumed an alcoholic beverage.
- b. Describe the circumstances under which he consumed the alcoholic beverage.
- c. Describe the alcoholic beverage consumed.

ANSWER TO INTERROGATORY NO. 30

On rare occasions when dining, Mr. Rice will consume one drink of wine or a margarita at the dinner table. There is no alcohol in his home.

Interrogatory No. 31. Describe any involvement in any organization that Michael Rice contends has aided his rehabilitation to now qualify him to be an FCC licensee.

ANSWER TO INTERROGATORY NO. 31

Mr. Rice continues to actively participate in the Society of Broadcast Engineers, is a member of the St. Louis, Missouri Chapter 55, and holds a lifetime Certified Professional Broadcast Engineer accreditation. He receives consultant referrals from these activities.

Interrogatory No. 32. Describe any other evidence Michael Rice intends to offer to show that he has been rehabilitated and now is qualified to be an FCC licensee.

ANSWER TO INTERROGATORY NO. 32

Lake may offer the testimony of a psychologist or psychiatrist as an expert witness as to the state of his rehabilitation.


Interrogatory No. 33. Identify any persons whose testimony Michael Rice intends to rely upon to demonstrate that he has been rehabilitated and now is qualified to be an FCC licensee.

ANSWER TO INTERROGATORY NO. 33

See Answers to Interrogatory 25, 26, and 32.

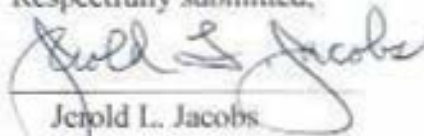
AS TO ANSWERS:

I declare under penalty of perjury that, to the extent that the answers set forth above are within my personal knowledge, they are true and correct to the best of my knowledge, and that, to the extent that the answers are not within my personal knowledge or to the extent the answers were prepared by others, they are true and correct to the best of my information and belief.


Michael S. Rice

AS TO OBJECTIONS:

Respectfully submitted,



Jerold L. Jacobs

Law Offices of Jerold L. Jacobs
1629 K Street, N.W. Suite 300
Washington, DC 20006
(202) 508-3383

Counsel for Lake Broadcasting, Inc.

Dated: August 15, 2014

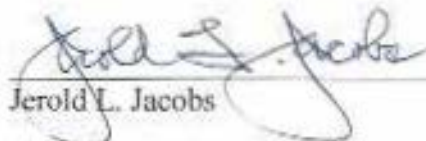
CERTIFICATE OF SERVICE

I, Jerold L. Jacobs, hereby certify that on this 15th day of August, 2014, I filed the foregoing "Lake Broadcasting, Inc.'s Response to Enforcement Bureau's First Set of Interrogatories" in ECFS and caused a copy to be sent via First Class United States Mail and via e-mail to the following:

Hon. Richard L. Sippel*
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554
Richard.Sippel@fcc.gov
Austin.Randazzo@fcc.gov
Mary.Gosse@fcc.gov

William Knowles-Kellett, Esq.
Investigations & Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554
William.Knowles-Kellett@fcc.gov

Gary Schonman, Esq.
Gary Oshinsky, Esq.
Special Counsel
Investigations & Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554
Gary.Schonman@fcc.gov
Gary.Oshinsky@fcc.gov



Jerold L. Jacobs